

**2005 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB100)**

Received: 06/21/2005

Received By: **rnelson2**

Wanted: **Today**

Identical to LRB:

For: **James Kreuser (608) 266-5504**

By/Representing: **Lisa**

This file may be shown to any legislator: **NO**

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Veterans - miscellaneous**  
**Veterans - veterans benefits**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Kreuser@legis.state.wi.us**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Veterans funding

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rnelson2 06/21/2005	kfollett 06/22/2005		_____			
/1			jfrantze 06/22/2005	_____	mbarman 06/22/2005	mbarman 06/22/2005	

FE Sent For:

<END>

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/?	rnelson2	1/1 kf 6/21	6/21	attyp			

FE Sent For:

<END>

**Nelson, Robert P.**

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**From:** Hanaman, Cathlene  
**Sent:** Tuesday, June 21, 2005 8:40 PM  
**To:** Nelson, Robert P.  
**Subject:** FW: another budget package- Veteran's Package

-----Original Message-----

**From:** Lundquist, Lisa  
**Sent:** Tuesday, June 21, 2005 8:39 PM  
**To:** Hanaman, Cathlene  
**Subject:** another budget package- Veteran's Package

**Package: Veteran's**

**\*\*\*\* Provide \$1 million in GPR to fund State Veterans Museum (new request)**

**\*\*\*\* Military Family Relief Act (new request)- same as 2005 AB192. I believe JFC passed a military family relief act but they funded it with GPR- we would like to go back to the language in AB 192 where the act is self-funded with an income tax check-off**

**\*\*\*\* restore funding to Veteran's trust- I called in a request for this earlier with the details including:**

- ✓pg 743, item 1 restore personal loan program
- ✓pg 744, item 2 restore reduction in emergency aid programs
- ✓pg 746, item 3 restore Vets Trust Fund and Admin Staff reductions
- ✓pg 746, item 4 restore education grants
- ✓pg 749, item 6 restore reduction in the vets assistance program
- ✓pg 750, item 7 restore retaining grant program and fund by deleting funding for the zoo interchange
- i'm not sure what is being referenced by those page numbers (i'm just forwarding what we received from the office that requested) but i hope you do....

**ASSEMBLY AMENDMENT ,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2005 ASSEMBLY BILL 100**

191  
→ Hl. Page 191, line 13, after that line  
insert:

"(n) Military family relief PR C -0- -0-

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 148, line 2: decrease the dollar amount for fiscal year 2005-06 by  
3 \$38,000,000 for the purpose of reducing funding for preliminary work for the zoo  
4 interchange-USH 45 reconstruction project.

→ and insert Pink A  
5 **2.** Page 196, line 18: increase the dollar amount for fiscal year 2005-06 by  
6 \$845,100 and increase the dollar amount for fiscal year 2006-07 by \$845,100 for the  
7 purpose for which the appropriation is made.

8 **3.** Page 196, line 23: increase the dollar amount for fiscal year 2005-06 by  
9 \$800,000 and increase the dollar amount for fiscal year 2006-07 by \$800,000 for the  
10 purpose for which the appropriation is made.

**4.** Page 197, line 1: increase the dollar amount for fiscal year 2005–06 by \$200,000 and increase the dollar amount for fiscal year 2006–07 by \$200,000 for the purpose for which the appropriation is made.

**5.** Page 197, line 4: increase the dollar amount for fiscal year 2005–06 by \$686,000 and increase the dollar amount for fiscal year 2006–07 by \$686,000 for the purpose for which the appropriation is made.

**6.** Page 197, line 7: increase the dollar amount for fiscal year 2005–06 by \$1,359,000 and increase the dollar amount for fiscal year 2006–07 by \$1,359,000 for the purpose for which the appropriation is made.

**7.** Page 197, line 16: increase the dollar amount for fiscal year 2005–06 by \$34,900 and increase the dollar amount for fiscal year 2006–07 by \$34,900 for the purpose for which the appropriation is made.

**8.** Page 197, line 21: increase the dollar amount for fiscal year 2005–06 by \$5,300,000 and increase the dollar amount for fiscal year 2006–07 by \$5,300,000 for the purpose for which the appropriation is made.

**9.** Page 199, line 8: increase the dollar amount for fiscal year 2005–06 by \$107,700 and increase the dollar amount for fiscal year 2006–07 by \$107,700 for the purpose for which the appropriation is made.

(END)

**ASSEMBLY BILL 192**

The bill requires that an amount equal to the total amount of designations received, less the total cost of administering the income tax check-off procedure, be deposited in the military family relief fund. The bill requires the Department of Military Affairs (DMA) to use the money from the military family relief fund to provide financial aid to the immediate family of members of the national guard or reservists who are serving in active duty in the U.S. armed forces. DMA is required to promulgate rules establishing eligibility criteria and the amount of the financial aid.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

#. Page <sup>303</sup>, line <sup>4</sup>: after that line insert:

<sup>364m</sup>  
"SECTION 1. 20.465 (2) (r) of the statutes is created to read:

20.465 (2) (r) *Military family relief*. All moneys received from the military family relief fund for the payment of financial aid to military families under s. 21.22. "

#. Page <sup>318</sup>, line <sup>8</sup>: delete lines <sup>8-14</sup> to and substitute: statutes is amended to read:

" 20.566 (1) (hp) *Administration of endangered resources; professional football district; breast cancer research; military family relief fund* <sup>veterans trust fund</sup> ~~voluntary payments~~. The amounts in the schedule for the payment of all administrative costs, including data processing costs, incurred in administering ss. 71.10 (5), (5e), and (5f) <sup>and (5h)</sup> and 71.30 (10). All moneys specified for deposit in this appropriation under ss. 71.10 (5) (h) 5., (5e) (h) 4., and (5f) (i) <sup>and (5h) (c)</sup> ~~and (5g) (i)~~ and 71.30 (10) (i) shall be credited to this appropriation. "

# Page <sup>336</sup>, line <sup>1</sup>: after that line insert:  
"SECTION 3. 21.22 of the statutes is created to read:

<sup>488b</sup>  
**21.22 Military family financial aid.** (1) In this section:

(a) "Immediate family" means the spouse and dependent children of a service member who are residents of this state.

## ASSEMBLY BILL 192

(b) "Service member" means a member of a reserve unit of the U.S. armed forces or of the national guard who is a resident of this state and who is serving on active duty in the U.S. armed forces.

(2) The department of military affairs shall provide financial aid to eligible members of the immediate family of service members. The department of military affairs shall promulgate rules establishing eligibility criteria and the amount of financial aid.

SECTION 4. 25.17 (1) (jx) of the statutes is created to read:

25.17 (1) (jx) Military family relief fund (s. 25.38);

SECTION 5. 25.38 of the statutes is created to read:

**25.38 Military family relief fund.** There is established a separate nonlapsible trust fund designated as the military family relief fund. The fund shall consist of money deposited in the fund under s. 71.10 (5g) (i), together with all donations, gifts, or bequests made to the fund.

SECTION 6. 71.10 (5g) of the statutes is created to read:

**71.10 (5g) MILITARY FAMILY RELIEF FUND CHECKOFF.** (a) *Definitions.* In this subsection:

1. "Department" means the department of revenue.

2. "Military family relief fund" means the fund under s. 25.38.

(b) *Voluntary payments.* 1. 'Designation on return.' Every individual filing an income tax return who has a tax liability or is entitled to a tax refund may designate on the return any amount of additional payment or any amount of a refund due that individual for the military family relief fund.

## ASSEMBLY BILL 192

## SECTION 6

1           2. 'Designation added to tax owed.' If the individual owes any tax, the  
2 individual shall remit in full the tax due and the amount designated on the return  
3 for the military family relief fund when the individual files a tax return.

4           3. 'Designation deducted from refund.' Except as provided in par. (d), if the  
5 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80  
6 (3) and (3m), the department shall deduct the amount designated on the return for  
7 the military family relief fund from the amount of the refund.

8           (c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails  
9 to remit an amount equal to or in excess of the total of the actual tax due, after error  
10 corrections, and the amount designated on the return for the military family relief  
11 fund:

12           1. The department shall reduce the designation for the military family relief  
13 fund to reflect the amount remitted in excess of the actual tax due, after error  
14 corrections, if the individual remitted an amount in excess of the actual tax due, after  
15 error corrections, but less than the total of the actual tax due, after error corrections,  
16 and the amount originally designated on the return for the military family relief  
17 fund.

18           2. The designation for the military family relief fund is void if the individual  
19 remitted an amount equal to or less than the actual tax due, after error corrections.

20           (d) *Errors; insufficient refund.* If an individual is owed a refund that does not  
21 equal or exceed the amount designated on the return for the military family relief  
22 fund, after crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error  
23 corrections, the department shall reduce the designation for the military family  
24 relief fund to reflect the actual amount of the refund that the individual is otherwise



**ASSEMBLY BILL 192**

1      owed, after crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error  
2      corrections.

3            (e) *Conditions.* If an individual places any conditions on a designation for the  
4      military family relief fund, the designation is void.

5            (f) *Void designation.* If a designation for the military family relief fund is void,  
6      the department shall disregard the designation and determine amounts due, owed,  
7      refunded, and received without regard to the void designation.

8            (g) *Tax return.* The secretary of revenue shall provide a place for the  
9      designations under this subsection on the individual income tax return.

10           (h) *Certification of amounts.* Annually, on or before September 15, the  
11      secretary of revenue shall certify to the department of military affairs, the  
12      department of administration, and the state treasurer all of the following:

13           1. The total amount of the administrative costs, including data processing  
14      costs, incurred by the department in administering this subsection during the  
15      previous fiscal year.

16           2. The total amount received from all designations for the military family relief  
17      fund made by taxpayers during the previous fiscal year.

18           3. The net amount remaining after the administrative costs, including data  
19      processing costs, under subd. 1. are subtracted from the total received under subd.  
20      2.

21           (i) *Appropriations.* From the moneys received from designations for the  
22      military family relief fund, an amount equal to the sum of administrative expenses,  
23      including data processing costs, certified under par. (h) 1. shall be deposited in the  
24      general fund and credited to the appropriation account under s. 20.566 (1) (hp), and

## ASSEMBLY BILL 192

## SECTION 6

1 the net amount remaining that is certified under par. (h) 3. shall be deposited in the  
2 military family relief fund and credited to the appropriation under s. 20.465 (2) (r).

3 (j) *Amounts subject to refund.* Amounts designated for the military family relief  
4 fund under this subsection are not subject to refund to the taxpayer unless the  
5 taxpayer submits information to the satisfaction of the department, within 18  
6 months after the date on which the taxes are due or the date on which the return is  
7 filed, whichever is later, that the amount designated is clearly in error. Any refund  
8 granted by the department under this paragraph shall be deducted from the moneys  
9 received under this subsection in the fiscal year for which the refund is certified. "

10 *for after that line insert:*  
**SECTION 7. Initial applicability.**

11 " (a) (1) This act first applies to taxable years beginning on January 1 of the year  
12 in which this subsection takes effect, except that if this subsection takes effect after  
13 July 31, this act first applies to taxable years beginning on January 1 of the year  
14 following the year in which this subsection takes effect. " ,

15 (END)

*insert 192,  
p 6, L. 9*

**ASSEMBLY AMENDMENT 1,  
TO 2005 ASSEMBLY BILL 192**

*insert 192, p 2, L 3*

March 30, 2005 - Offered by Representative MOLEPSKE.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 3: after "s. 21.22" insert "and for all of the administrative costs  
3 that the department incurs in making those payments".

4 (END)

**ASSEMBLY AMENDMENT 2,  
TO 2005 ASSEMBLY BILL 192**

*Insert 192  
pg. 12.*

March 30, 2005 - Offered by Representative MOLEPSKE.

1 At the locations indicated, amend the bill as follows:

2 1. Page 1, line 4: after "fund," insert "providing an exemption from emergency  
3 rule procedures,".

4 2. Page 6, line 9: after that line insert:

5 ~~SECTION 6m. Nonstatutory provisions.~~ *#11 Page 1007, line 19: after that line insert:*  
6 ~~(44)~~ EMERGENCY RULE. Using the procedure under section 227.24 of the statutes,  
7 the department of military affairs shall promulgate the rules described under section  
8 21.22 (2) of the statutes, as created by this act, for the period before the permanent  
9 rules become effective, but not to exceed the period authorized under section 227.24  
10 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3)  
11 of the statutes, the department of military affairs is not required to provide evidence  
12 that promulgating a rule under this subsection as an emergency rule is necessary for

Insert 192 IP 6, L2 cont.

the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for the rules promulgated under this subsection.”

**3.** Page 6, line 11: delete “This act” and substitute “The treatment of s. 71.10 (5g) of the statutes”.

(END)

2005

Insert, A  
**AMENDMENTS**

LRB 60623/1  
RPN : \_\_\_\_\_ : \_\_\_\_\_

**\$\$\$ INCREASE/DECREASE**

In the component bar, for a "regular" amendment item:

For the item text, execute: ..... **create** → **item:** → **m:** → **\$inc-dec**

#. Page 195, line 16: in(~~de~~)crease the dollar amount for fiscal year 2005-06 by \$ . . . . . , 500, 000 and in(~~de~~)crease the dollar amount for fiscal year 2006-07 by \$ . . . . . , 500, 00 [to increase funding for the [purpose] [purposes] for which the appropriation is made] [to ~~increase~~ funding for ..... ]\*.

#. Page . . . . . , line . . . . . : in(de)crease the dollar amount for fiscal year 2005-06 by \$ . . . . . , . . . . . and in(de)crease the dollar amount for fiscal year 2006-07 by \$ . . . . . , . . . . . [to . . .crease funding for the [purpose] [purposes] for which the appropriation is made] [to . . .crease funding for ..... ]\*.

In the component bar, for a "frozen" amendment item (used in amendments to amendments):

For the item text, execute: ..... **create** → **item:** → **afterline** [or the applicable item]

For the "frozen" item text, execute: **create** → **item:** → **frz:** → **m:** → **\$inc-dec**

#. Page . . . . . , line . . . . . : .....

.... Page . . . . . , line . . . . . : in(de)crease the dollar amount for fiscal year 2005-06 by \$ . . . . . , . . . . . and in(de)crease the dollar amount for fiscal year 2006-07 by \$ . . . . . , . . . . . [to . . .crease funding for the [purpose] [purposes] for which the appropriation is made] [to . . .crease funding for ..... ]\*.

\* Use the 2nd alternative if the purpose of the increase or decrease is more limited than the purpose or purposes of the appropriation as currently shown in the text of ch. 20, stats.